

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**December 14, 2007**

## DIVISION TWO

B192533 People (Not for Publication)  
v.  
Wood

The judgment is affirmed.

Boren, P.J.

We concur: Ashmann-Gerst, J.  
Chavez, J.

## DIVISION THREE

Court convened at 9:30 a.m.

Present: Klein, P.J., Kitching, J., Aldrich, J. and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B200783 DCFS v. Frank Z.  
B195518 People v. Steven H.  
B197167 People v. Arsenault  
B192062 People v. Trujillo  
B200380 DCFS v. Yvonne A.  
B196556 People v. Jesus A.

Argument waived, cause submitted.

DIVISION THREE (continued)

B195299      Los Angeles County, D.C.S.  
                 v.  
                 Ruby P.

Merits:

Argued by Lori Fields for appellant and by O. Raquel Ramirez, Deputy County Counsel. for respondent. Cause submitted.

B193450      County of Los Angeles  
                 v.  
                 Allegheny Casualty Company

Appearances:

Brian T. Chu for respondent and no appearance by appellant. Argument waived, cause submitted.

B195299      Tawana Garrit  
                 v.  
                 Thomas Garrit

Appearances:

No appearance by the parties. Argument waived, cause submitted.

B195641      Lawrence O'Brien  
                 v.  
                 Camisasca Automotive Manufacturing Inc et al

Merits:

Argued by Henry Rossbacher for appellant and by Stanley M. Gibson and Fredrick Rafeedie for respondent. Cause submitted.

DIVISION THREE (continued)

B190607      People  
                 v.  
                 Jamie Hendrix

Merits:

Argued by John Lanahan for appellant and by Jaime Fuster, Deputy Attorney General for respondent. Cause submitted.

Court recessed 11:09 a.m.

Court reconvened at 1:30 p.m.

Present: Klein, P.J., Kitching, J., Aldrich, J. and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B192579 People v. Michael Conover  
B195174 People v. Michael Jones  
B196285 People v. Dennis Charles Harris  
B195063 Fire Insurance Exchange et al v. Giovanni Brambilla

Argument waived, cause submitted.

B191297      Baerbel Lottmann  
                 v.  
                 Wayne S. Marshall et al

Merits:

Argued by Jeffrey Holcomb for appellant and by M. Stephen Davis for respondents. Cause submitted.

DIVISION THREE (continued)

B195301     David Stoltzman  
              v.  
              Dietmar Kruger et al

Merits:  
Argued by William Houser for appellant and by Gary Scalabrini for  
respondents. Cause submitted.

B196811     Benham Soroudi et al  
              v.  
              Mehdi Soroudi et al

Merits:  
Argued by William Steckbauer for appellants and by Richard Hessenius for  
respondents. Cause submitted.

B194593     Simon Benjamin  
              v.  
              Nasser Rafie et al

Merits:  
Argued by Richard Rome for appellant and no appearance by respondents.  
Cause submitted.

Court adjourned.

B194996     The Boeing Company  
              v.  
              Continental Casualty

Filed order certifying opinion for publication.

### DIVISION THREE (continued)

B184125 People (Not for Publication)

V.

Bochicchio

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.

Aldrich, J.

B201712      Jose R., et al.      (Not for Publication)

V.

Superior Court, Los Angeles County

(Los Angeles County Department of Children and Family Services, r.p.i.)

The order to show cause is discharged; the petitions for extraordinary writ are granted. The order setting a hearing under section 366.26 on December 19, 2007, is set aside and the matter is remanded to the juvenile court for a new disposition hearing. The order granting the writ petitions is final immediately as to this court. (Cal. Rules of Court, rule 8.264(b)(3).)

Klein, P.J.

We concur:   Kitching, J.

Aldrich, J.

DIVISION FOUR

[illegible]

The judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.  
Manella, J.

[illegible]

The judgment is affirmed.

Manella, J.

We concur: Epstein, P.J.  
Suzukawa, J.

B196723 People (Not for Publication)  
v.  
Juarez

The judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.  
Suzukawa, J.

DIVISION FOUR (continued)

B179600      People  
                 v.  
                 Rodriguez

Filed order modifying opinion. Petition for rehearing is denied. Willhite, J., would grant rehearing. (No change in the judgment)

B193537      Greenpoint Mortgage Funding, Inc.      (Not for Publication)  
                 v.  
                 Jadranka C. Bach

The judgment is affirmed. Greenpoint shall recover its costs on appeal.

Willhite, Acting P.J.

We concur:    Manella, J.  
                 Suzukawa, J.

DIVISION FIVE

B193404      People      (Not for Publication)  
                 v.  
                 Deon Darby et al

The judgment as to Darby is amended as follows: a \$50 lab fee (Health & Saf. Code, § 11372.5, subd. (a)), a \$10 surcharge (§ 1465.7), a \$50 penalty (§ 1464, subd. (a)), a \$35 assessment (Gov. Code, § 76000), and a \$15 state court construction penalty (Gov. Code, § 70372, subd. (a)) are imposed in connection with count two and the concurrent sentence on count two is stayed; a \$10 surcharge (§ 1465.7), a \$50 penalty (§ 1464, subd. (a)), a \$35 assessment (Gov. Code, § 76000), and a \$15 state court construction penalty (Gov. Code, § 70372, subd. (a)) are imposed in connection with count three; and a \$50 lab fee (Health & Saf., Code, § 11372.5, subd. (a)), a \$10 surcharge (§ 1465.7), a \$50 penalty (§ 1464, subd. (a)), a \$35 assessment (Gov. Code, § 76000), and a \$15 state court construction

DIVISION FIVE (continued)

B193404      People v. Darby, et al (cont.)

penalty (Gov. Code, § 70372, subd. (a)) are imposed in connection with count four. Regarding defendant Lee: the \$50 lab fee (Health & Saf. § 11372.5, subd. (a)) imposed in connection with count one is stricken; a \$50 lab fee (Health & Saf. § 11372.5, (subd. (a))), a \$10 surcharge (section 1465.7), a \$50 penalty (section 1464, subd. (a)), \$35 assessment (Gov. Code, § 76000), and a \$15 state court construction penalty (Gov. Code, § 70372, subd. (a)) are imposed in connection with count two; a \$50 lab fee (Health & Saf., Code, § 11372.5, subd. (a)), a \$10 surcharge (§ 1465.7), a \$50 penalty (§ 1464, subd. (a)), a \$35 assessment (Gov. Code, § 76000), and a \$15 state court construction penalty (Gov. Code, § 70372, subd. (a)) are imposed in connection with count three; and a \$50 lab fee (Health & Saf. Code, § 11372.5, subd. (a)), a \$10 surcharge (§ 1465.7), a \$50 penalty (§ 1464, subd. (a)), a \$35 assessment (Gov. Code, § 76000), and a \$15 state court construction penalty (Gov. Code, § 70372, subd. (a)) are imposed in connection with count four.

Regarding defendant Phillips: a \$50 lab fee (Health & Saf. Code, § 11372.5, subd. (a)), a \$10 surcharge (§ 1465.7), a \$50 penalty (§ 1464, subd. (a)), a \$35 assessment (Gov. Code, § 76000), and a \$15 state court construction penalty (Gov. Code, § 70372, subd. (a)) are imposed in connection with count two and the concurrent sentence on count two is stayed; a \$10 surcharge (§ 1465.7), a \$50 penalty (§ 1464, subd. (a)), a \$35 assessment (Gov. Code, § 76000), and a \$15 state court construction penalty (Gov. Code, § 70372, subd. (a)) are imposed in connection with count three; and a \$50 lab fee (Health & Saf. Code, § 11372.5, subd. (a)), a \$10 surcharge (§ 1465.7), a \$50 penalty (§ 1464, subd. (a)), a \$35 assessment (Gov. Code, § 76000), and a \$15 state court construction penalty (Gov. Code, § 70372, subd. (a)) are imposed in connection with count four.



DIVISION FIVE (continued)

B193404      People v. Darby, et al (cont.)

The trial court is to insure the abstract of judgment is corrected to comport with the modifications we have ordered. (*People v. Acosta* (2002) 29 Cal.4th 105, 109, fn. 2; *People v. Chan* (2005) 128 Cal.App.4th 408, 425-426.)

Kriegler, J.

We concur:    Armstrong, Acting P.J.  
                  Mosk, J.

DIVISION SIX

B189116      Santa Clarita Organization for Planning the Environment  
                  v.  
                  County of Los Angeles

Filed order denying petitions for rehearing.

DIVISION EIGHT

B178872      Logix Development Corporation et al.,  
                  v.  
                  Faherty

Filed order modifying opinion. Petitions for rehearing are denied. (No change in the judgment)